

AMENDED IN SENATE JUNE 21, 2005

AMENDED IN ASSEMBLY MAY 26, 2005

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 561**

**Introduced by Assembly Member Montanez**  
***(Coauthors: Assembly Members Laird and Leno)***

February 16, 2005

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An act to amend Sections 2053, 2053.1, and 2053.4 of the Penal Code, relating to prisons.

### LEGISLATIVE COUNSEL'S DIGEST

AB 561, as amended, Montanez. Prison education.

Existing law requires the Department of Corrections to implement statewide literacy programs in every prison. The Director of Corrections is required to appoint a Superintendent of Correctional Education to administer the prison educational programs.

This bill would require the department to perform initial and subsequently annual educational assessments on each inmate, as specified. This bill would specify the courses of instruction to be included in the statewide educational programs.

This bill would also direct that the Superintendent of Correctional Education report directly to the educational authority within the department as restructured, and that the superintendent shall have authority over the education budget, the hiring of education personnel, and other education entities within the department, as specified.

*This bill would also change all references to the Department of Corrections to the Department of Corrections and Rehabilitation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2053 of the Penal Code is amended to  
2 read:
- 3 2053. (a) The Legislature finds and declares that there is a  
4 correlation between prisoners who are functionally literate and  
5 those who successfully reintegrate into society upon release. It is  
6 therefore the intent of the Legislature, in enacting "The Prisoner  
7 Literacy Act," to raise the percentage of prisoners who are  
8 functionally literate, in order to provide for a corresponding  
9 reduction in the recidivism rate.
- 10 (b) The Department of Corrections *and Rehabilitation* shall  
11 determine the reading level of each prisoner upon commitment.
- 12 (c) The department shall assess the educational needs of each  
13 inmate upon commitment and at least annually thereafter *review*  
14 *education program needs for each inmate* until released on  
15 parole. The initial assessment shall include a projection of the  
16 academic and vocational needs of the inmate and shall be used  
17 both in making a determination as to the appropriate educational  
18 program for the inmate and as a measure of progress in  
19 subsequent assessments of the educational development of the  
20 inmate.
- 21 SEC. 2. Section 2053.1 of the Penal Code is amended to read:
- 22 2053.1. The Director of the Department of Corrections *and*  
23 *Rehabilitation* shall implement in every state prison ~~statewide~~  
24 ~~educational~~ literacy programs that are designed to ensure that  
25 upon parole inmates are able to achieve a ninth-grade reading  
26 level. The department shall prepare an implementation plan for  
27 this program, and shall request the necessary funds to implement  
28 this program as follows:
- 29 (a) To make the program available to at least 25 percent of  
30 eligible inmates in the state prison system by July 1, 1991.
- 31 (b) To make the program available to at least 60 percent of  
32 eligible inmates in the state prison system by January 1, 1996.
- 33 In complying with the requirements of this section, the  
34 department shall give strong consideration to computer assisted

1 training and other innovations which have proven to be effective  
2 in reducing illiteracy of disadvantaged adults.

3 ~~(c) The statewide educational program of the department shall~~  
4 *Educational programs shall be offered at each institution within*  
5 *the jurisdiction of the department, and shall include, but shall not*  
6 *be limited to, all of the following courses of instruction:*

7 (1) Academic preparation in the areas of verbal  
8 communication skills, reading, writing, and arithmetic.

9 (2) Vocational preparation including vocational counseling;  
10 *and training in marketable skills, and job placement—assistance*  
11 *information.*

12 (3) Life survival skills, including preparation in the areas of  
13 consumer economics, family life, and personal and social  
14 adjustment.

15 (4) The educational programs may also include, but not be  
16 limited to, the following components: identification and  
17 assessment; placement and intervention; orientation; postrelease;  
18 goal-oriented progress reports; outcome measures; ~~parental and~~  
19 family involvement; vocational certification; advisory  
20 committees utilizing academicians from universities; ~~health and~~  
21 ~~safety procedures~~; sensitivity to racial, ethnic and cultural  
22 balances; ~~dispute conflict~~ resolution; peer counseling; drug and  
23 alcohol ~~therapy education~~; anger management skills; ~~prevention~~  
24 ~~and relapse~~; mental, emotional, ~~spiritual, and~~ physical health  
25 skills, *and violence prevention skills; victim awareness; victim*  
26 *recovery*; employment skills; parenting skills, critical thinking;  
27 organizational skills; study habit skills; nutrition; dress code;  
28 housing skills; resumé writing; computer literacy; telephone  
29 etiquette; *and personal hygiene; and crisis intervention.*

30 SEC. 3. Section 2053.4 of the Penal Code is amended to read:

31 2053.4. (a) The Director of Corrections and Rehabilitation  
32 shall appoint a Superintendent of Correctional Education, who  
33 shall oversee and administer all prison education programs. The  
34 Superintendent of Correctional Education shall set both  
35 short-term and long-term goals for inmate literacy and ~~testing~~  
36 *assessments*, and shall establish the priorities for prison education  
37 programs.

38 (b) The Superintendent of Correctional Education shall report  
39 directly to the department's authority on educational programs  
40 within the Department of Corrections *and Rehabilitation.*

1 (c) The superintendent shall be the authority over the hiring of  
2 correctional education personnel, and in conjunction with the  
3 department's authority on educational programs, shall have  
4 oversight over the education budget within the Department of  
5 Corrections *and Rehabilitation*. Furthermore, the superintendent  
6 shall have control over all education entities within the  
7 Department of Corrections *and Rehabilitation*.

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